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C O N F I D E N T I A L SECTION 01 OF 03 ABUJA 000871

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SENSITIVE

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SUBJECT: AMBASSADOR VISITS KADUNA

CLASSIFIED BY AMBASSADOR HOWARD F. JETER FOR REASONS 1.5
(B) AND (D).

REF: ABUJA 0501

11. (U) Summary: Ambassador Jeter paid his first official visit to Kaduna State on March 27 and 28. He met with Kaduna Governor Ahmed Makarfi, the Emir of Zazzau, Alhaji Shehu Idris, former Military Head of State General Muhammadu Buhari, Northern kingmaker Dr. Liman Ciroma and leaders in Muslim-Christian inter-faith dialogue efforts. Governor Makarfi focused on his plans for economic expansion in agriculture and solid-minerals development. He described his close scrutiny over all government contracts, which he claimed to annul or modify where there appears to be collusion or kickbacks. Makarfi said that this scrutiny allowed him to provide an unprecedented level of infrastructure development and new government services while maintaining a balanced budget--one of the benefits of an effective anti-corruption campaign. The Ambassador's meeting with the Emir of Zazzau was largely protocolary. His meetings with Kaduna's retired generals will be addressed in septel.

Shari'a

12. (U) During his first official visit to Kaduna State, Ambassador Jeter was guest of honor at a State Dinner hosted by Governor Makarfi on March 27. During lengthy private meetings on March 27 and 28, the Ambassador congratulated Governor Makarfi on the work he had done since the unrest last February to return Kaduna to normalcy. Makarfi provided an overview of developments in Kaduna, and discussed his efforts to rebuild parts of the city destroyed in last year's rioting, as well as to rebuild trust between the various ethnic groups in the State (Reftel). He described the tripartite legal system--criminal Shari'a and customary courts limited to minor offenses, and common law criminal courts for more serious offenses. He said that the choice between Shari'a, customary or common law courts will be at the defendants' discretion, adding that the civil jurisdiction of Shari'a courts over Muslims is mandatory--and has been in the North since before the colonial era. Makarfi said that the common law justice system had broken down, especially for the poor, who lack access and resources to properly defend themselves, or to enforce their rights. (Note: By most accounts, the Shari'a court system throughout the North is itself dysfunctional. End Note.) The Ambassador asked whether a Supreme Court ruling on the constitutionality of criminal Shari'a would help at this point. Makarfi said that such a ruling would have been helpful initially, but that now the issue has "settled down."

Infrastructure and Economic Development

13. (U) Makarfi began by indicating an interest in concluding a sister city arrangement with an appropriately sized and diverse U.S. city. He then discussed his budgetary priorities, and described his successes in rural electrification, provision of potable water and road-building. (Comment: Post can confirm that this is not mere rhetoric, but that a substantial portion of Kaduna's budget is in fact being used to establish and expand infrastructure throughout the State. End Comment.) Makarfi said that he was focusing on solid minerals exploitation and expanding development in the agricultural sector. He commented that the agricultural sector had the greatest direct impact on average Nigerians, but said that the federal government had neglected to invest in transportation infrastructure and market development that would permit large-scale agricultural exports.

14. (U) Makarfi said that one of his biggest projects was to create a "massive" irrigation system that would permit year-round farming in much of Kaduna State. He said the lack of a functioning rail system, as well as the difficulties in clearing goods through customs, inhibited

the agricultural export sector. Makarfi stated that he was working to create agricultural co-operatives that would be able to enter into export agreements with European buyers and guarantee supply. While Makarfi acknowledged that this would be a long-term project, he said that agricultural development was in fact the most important sector for bettering the lives of average Nigerians. (Note: Nigerians not involved in the oil economy live on an average of 1 USD per day. End Note.) Makarfi also mentioned that Kaduna State owns a "state-of-the-art" canning facility in Zaria that he wants to privatize as part of his effort to revitalize the agricultural sector.

15. (SBU) The Governor said that he was particularly interested in recruiting U.S. mining companies to look into the feasibility of mineral extraction in Kaduna State. He mentioned that Libyan officials had been showing interest, but expressed concern that their presence might not be in the long-term best interests of the state. He mentioned that there were commercially viable quantities of precious and semi-precious metals in Kaduna, and said that Kaduna State would not present the same security risks as Nigeria's South-South, where the oil industry is based. The Ambassador agreed to provide any U.S. Geological Survey information to the Governor, and said that he would refer the Governor's request to the U.S. Commercial Service.

Corruption

16. (C) Ambassador Jeter noted that many Nigerians appeared cynical about what they consider to be an ineffective and rapacious Fourth Republic federal government, as well as equally incompetent local government authorities. He added that in some states, like Kaduna, Nigerians who were cynical about the local and federal governments appeared to feel greater allegiance to State governments that were actually delivering services to the populous. The Ambassador then asked Makarfi how he managed his budget to ensure that State funds were invested rather than misappropriated. In reply, Makarfi said that his background was in finance and private banking, having been the Commissioner of Finance in Kaduna under the administration of military governor Colonel Jafa'ar Isa. Makarfi emphasized that he knows how to read a balance sheet, and said that he personally reviews and approves all contracts let by the Kaduna State government. He said, "I know what it costs to get something done."

17. (C) Makarfi said that when President Obasanjo came to visit Kaduna State last Autumn, he asked how Makarfi managed to get so much accomplished with no more money that is given to any other state government. Makarfi said that he told the President that the states have adequate funding to accomplish a great deal. It is managing the money--and the contracts it is spent on--that is the challenge. Makarfi also commented on the difficulty in monitoring the corrupt practices of local governments, which have independent budgetary allocations coming from the federal government. He said that early in his tenure as Governor he picked the most rapacious among the local government chairmen in Kaduna, ordered the police to investigate the financial practices of the LGA, and then referred him to the State Assembly for removal, which it did. Makarfi said this put the other LGA chairmen on notice that their activities would be monitored, and punished for corruption and wrongdoing.

18. (C) Makarfi added that the National Association of Local Governments was "lobbying" the National Assembly to pass a bill guaranteeing LGA chairmen a four-year tenure, which would prevent their removal by State Assemblies for malfeasance. Makarfi said that nearly 400 million naira (3.07 million USD) had been spent in direct payments to Assembly members to ensure passage of the bill, which he added, would be unconstitutional unless presented in the form of a constitutional amendment to remove the oversight function of state governments over their LGA's. (Comment: LGA's and State government budgets, when not properly administered, represent a substantial drain of GON resources into private pockets. In the FY 2001 budget, LGA's will receive 218 billion naira (1.67 billion USD), 20 percent of the federal budget, and States will receive 262 billion naira (2 billion USD), or 28 percent of the federal budget. End Comment.)

19. (C) Discussing corruption, Makarfi said that he was disappointed in the lack of oversight being exercised over federal Ministries. Criticizing some of the current Ministers, Makarfi asserted "the President is being mis-used by his advisors." He said, "If the Ministries in Abuja simply applied the oversight that I do here in Kaduna, a great deal of corruption could be eliminated."

The Ambassador commented on the fact that Governors had become a powerful independent political force in the Fourth Republic. Makarfi agreed that it was a new phenomenon, and traced it to the efforts of PDP governors to get President Obasanjo elected. He said that part of the President's problem in managing what Makarfi described as a largely corrupt and undisciplined Cabinet stems from the fact that Obasanjo's Ministers were nominated in repayment of political debts and as an attempt to adhere to strict "zoning" by geographical region. Makarfi said that they are not themselves electable, and many of them are spending a great deal of time, and government money, trying to position themselves as potential candidates for Governor in their home states. (Note: State Governors in Nigeria are superior to Ministers in official protocol and most exercise more effective power than federal Ministers. End Note.)

10. (C) Comment: Governor Makarfi is one of President Obasanjo's favorites. The Governor and his more progressive colleagues represent a new development in the Nigerian democratic experiment. To the extent that ordinary Nigerians are experiencing a "democracy dividend," it appears to derive from effective State governments run by executives, like Makarfi, who claim to keep an eye on the bottom line. We are not in a position at this point to assess definitively which Governors are in the vanguard of good government and which are engaging in business-as-usual while claiming to be advocates of good government. We also cannot independently verify Makarfi's assertions of clean government.

11. (C) What we see on the ground, however, indicates that a larger amount of Kaduna State money may be going to fund projects than into officials' bank accounts. Makarfi described himself as the wealthiest man in Kaduna State at the time he was elected, and therefore can afford to be clean, as he does not have to make his fortune during his tenure as Governor. As we identify Governors who are delivering services to their constituents--and combating corruption--it would seem appropriate to support them and good governance by targeting some of assistance efforts to those states. End Comment.